

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

September 6, 2016

CALL TO ORDER: Mayor Pro Tem Steggell called the Regular Meeting of the La Palma City Council to order at 7:00 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California, with Mayor Goedhart being absent.

PLEDGE OF ALLEGIANCE: Council Member Hwangbo

INVOCATION: Pastor Steve Bland, La Palma Christian Center

ROLL CALL: Council Members

Council Members present: Council Member Hwangbo, Council Member Kim, Council Member Shanahan, and Mayor Pro Tem Steggell

Council Members absent: Mayor Goedhart

City Officials present: Laurie A. Murray, City Manager  
Joel Kuperberg, City Attorney  
Douglas Dumhart, Community Development Director  
Sea Shelton, Administrative Services Director  
Terry Kim, Police Captain  
Kimberly Kenney, Deputy City Clerk

PRESENTATIONS

1. Noella Lew, Chairperson of the La Palma Community Activities and Beautification Committee and Home Spotlight Subcommittee, recognized the home of Mike and Jean Brunelli, 5782 Shasta Circle, La Palma.

ORAL COMMUNICATIONS

Steve Maikoski, a La Palma resident, addressed the City Council regarding the measures the City has taken to meet the financial crisis that has occurred; that there are numerous tax increases on the November ballot depending on where you live; that La Palma is

not the only City in this situation; the Town Hall meeting that is coming up next week to discuss the details of Measure JJ and asked for a list of La Palma's priorities for these revenues; and noted that if the City is asking voters to commit to a new tax that it should commit to a plan.

Robert Carruth, a La Palma resident, addressed the City Council regarding the lack of citizens involved to serve as City Council candidates; opposition to the City Council not taking residents' comments into consideration when making decisions; that the City belongs to all of its residents; supports engagement in a healthy public debate between himself, resident Keith Nelson, and Measure JJ Proponents; and whether the Measure JJ transaction and use tax applies to online sales and purchases.

City Manager Murray responded that Measure JJ affects online and internet purchases.

Keith Nelson, a La Palma resident, addressed the City Council regarding his previous questions not being answered in a timely manner; inquired as to whether there is a policy in place regarding his questions being regarded as a public records request; opposition to the manner in which he is being treated; that Measure JJ effecting online and internet purchases has never been discussed, detailed, or addressed by the proponents of the Measure; opposition to the City Council not following through on his recommendations for the Police Department; opposition to threatening disincorporation; and opposition to getting delays in responding to his questions.

Larry Herman, a La Palma resident, addressed the City Council regarding the flyers distributed in support of Yes on Measure JJ; support for making cuts to the Recreation Department before making cuts to the Police Department; support for a full review to validate recreation programs; inquiry about members of the Yes on Measure JJ Committee; opposition to flyer statements made by the Yes on Measure JJ Committee; and his support to evaluate all options prior to moving towards the City's disincorporation.

Council Member Hwangbo asked for clarification on Measure JJ in regards to any sales tax exemptions.

City Manager Murray responded that it does not apply to purchases that are sold for use and delivered outside of City limits.

City Attorney Kuperberg reported that he will look into the matter and report back.

Council Member Hwangbo asked that Staff add a Frequently Asked Questions (FAQ) section on the City's website in order to be fully transparent and clarify issues such as this.

City Manager Murray indicated that staff is already planning to add a FAQ section.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:29 P.M.

Deputy City Clerk Kenney stated, "The City Council will now recess and convene as the Successor Agency to the Dissolved Community Development Commission of the City La Palma. Members of the La Palma City Council receive no compensation or stipend as a result of convening or participating in the Successor Agency or otherwise as serving as members of the Successor Agency."

CONSENT CALENDAR

A. Approval of Successor Agency Minutes

Minutes of the August 16, 2016, Regular Meeting of the Successor Agency.

Council Member Kim made a motion to approve Consent Calendar Item A.

The motion was seconded by Council Member Shanahan and carried on the following vote:

AYES:	Council Member Hwangbo, Council Member Kim, Council Member Shanahan, and Mayor Pro Tem Steggell
NOES:	None
ABSENT:	Mayor Goedhart

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION, AND RECONVENE AS THE CITY COUNCIL AT 7:30 P.M.

## CONSENT CALENDAR

1. Waive the Reading of All Ordinances  
  
Waive the reading of all Ordinances in their entirety and read by title only.
2. Approval of Council Minutes  
  
Minutes of the August 16, 2016, Regular Meeting of the City Council.
3. Approval of Register of Demands  
  
Resolution No. 2016-58 approving the Register of Demands for September 6, 2016.
4. Water Conservation Monthly Report for July 2016  
  
Receive and file the Water Conservation Monthly Report for July 2016.

Council Member Kim made a motion to approve Consent Calendar Items 1 through 4.

The motion was seconded by Council Member Shanahan and carried on the following vote:

AYES:	Council Member Hwangbo, Council Member Kim, Council Member Shanahan, and Mayor Pro Tem Steggell
NOES:	None
ABSENT:	Mayor Goedhart

## REGULAR ITEMS

5. League of California Cities (LOCC) Voting Delegates and Resolutions

City Manager Murray gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding supporting the resolution not being a binding act, only to encourage the State towards decreasing traffic accidents; support for the spirit of this resolution; whether the City is truly comfortable with becoming a Vision Zero city; how the City could implement this action; that the Cities that did adopt this ended up just increasing the fines and penalties as a way to combat accidents;

that Staff would take a look at the fiscal impact and need to review this in more detail prior to adoption; that at this time, there is not enough information from the State on this matter; that the resolution can be separated from the motion; support for moving the selection of delegates and having a neutral position on the resolution; that the City would not need voting delegates if the City maintains neutrality; that there would be purpose for abstaining, whether it would be for a lack of information, or need for more clarification.

- a) Designate Mayor Pro Tem Steggell as the City of La Palma's Voting Delegate at the League of California Cities' (LOCC) Annual Conference;
- b) Designate Council Member Hwangbo and City Manager Murray as the City of La Palma's Alternate Voting Delegate and Second Alternative Voting Delegate, respectively; and
- c) Provide direction to the Voting Delegate and Alternate Voting Delegates for the LOCC Annual Conference as to the City's position on a Resolution committing the LOCC to supporting Vision Zero, toward zero deaths, and other programs or initiatives to make safety a top priority for transportation projects and policy formulation, while encouraging cities to pursue similar initiatives.

Council Member Kim made a motion to approve a) Designate Mayor Pro Tem Steggell as the City of La Palma's Voting Delegate at the League of California Cities' (LOCC) Annual Conference; and b) designate Council Member Hwangbo and City Manager Murray as the City of La Palma's Alternate Voting Delegate and Second Alternative Voting Delegate, respectively; and abstain from c) providing the City's position on a Resolution committing the LOCC to supporting Vision Zero, toward zero deaths, and other programs or initiatives to make safety a top priority for transportation projects and policy formulation, while encouraging cities to pursue similar initiatives.

Discussion further ensued that there was support for Vision Zero and opposition to abstaining or neutrality to the Resolution in support of being a Vision Zero City.

Council Member Kim withdrew his original motion and made a substitute motion to approve a) Designate Mayor Pro Tem Steggell as the City of La Palma's Voting Delegate at the League of California Cities' (LOCC) Annual Conference; and b) designate Council Member Hwangbo and City Manager Murray as the City of La Palma's Alternate Voting Delegate and Second Alternative Voting Delegate, respectively.

The motion was seconded by Council Member Shanahan and carried on the following vote:

AYES: Council Member Hwangbo, Council Member Kim, Council Member Shanahan, and Mayor Pro Tem Steggell

NOES: None

ABSENT: Mayor Goedhart

Council Member Hwangbo made a motion to abstain from c) providing the City's position for a Resolution committing the LOCC to supporting Vision Zero, toward zero deaths, and other programs or initiatives to make safety a top priority for transportation projects and policy formulation, while encouraging cities to pursue similar initiatives.

Further discussion ensued regarding the indifference in the final vote for the resolution; support and opposition to the motion; and clarification on the motion on the floor.

The motion failed for lack of a second.

Council Member Shanahan made a motion to c) provide direction to the Voting Delegate and Alternate Voting Delegates for the LOCC Annual Conference to support a Resolution committing the LOCC to supporting Vision Zero, toward zero deaths, and other programs or initiatives to make safety a top priority for transportation projects and policy formulation, while encouraging cities to pursue similar initiatives.

The motion was seconded by Mayor Pro Tem Steggell and carried on the following vote:

AYES: Council Member Shanahan, and Mayor Pro Tem Steggell

NOES: Council Member Hwangbo

ABSENT: Mayor Goedhart

ABSTAINED: Council Member Kim

Council Member Shanahan asked for clarification on the whether the motion carried and passed.

City Attorney Kuperberg responded that most items require a majority vote; however, this is a motion to direct Council to cast a nonbinding vote at a convention; and that the abstention is considered an acquiescence in the majority.

Council Member Hwangbo asked for clarification that even though the City Council is providing direction, the voting delegate can vote however they choose.

City Attorney Kuperberg concurred as long as it coincides with the direction provided by the City Council.

City Manager Murray clarified for the audience that the meeting in question is a LOCC meeting; that the resolution will go before a resolution committee; that all voting delegates from cities in the state will be voting on this; and that at this meeting, the attendees may be able to come forward with additional information that may allow our voting delegate to change their mind.

#### COUNCILMEMBER AB1234 REPORTS, REPORTS FROM CITY-AFFILIATED COMMITTEES, AND COUNCIL REMARKS

**Council Member Hwangbo** attended the Orange County Vector Control District (OCVCD) Trustee Meeting; the LOCC Division Meeting; asked if there were any issues from the La Palma Avenue street project; asked about the opening date for the remodeled McDonald's; and inquired about the internal design of the restaurant.

City Manager Murray responded that the City has not encountered problems closing out the street project; however, residents living adjacent to the intersection of Walker Street and La Palma Avenue had some concerns exiting from their street and Staff had installed "Keep Clear" signs to mitigate their concerns.

Community Development Dumhart noted that McDonalds is planning to reopen the first week of October 2016; and that there will be an automated counter in the remodeled facility.

**Council Member Kim** attended the Orange County Sanitation District (OCSD) Board Meeting.

**Council Member Shanahan** had nothing to report.

**Mayor Pro Tem Steggell** attended that Orange County Fire Authority (OCFA) board meeting where they voted to approve a four year labor agreement.

#### CITY MANAGER REMARKS

**City Manager Murray** announced that due to the short week, there will be no Weekly Report.

CITY ATTORNEY REMARKS

**City Attorney Kuperberg** had nothing to report.

Council Member Hwangbo commented that if there is nothing scheduled for upcoming meetings except routinely scheduled items, that staff should feel free to make some of those meetings optional or cancel them all together.

City Manager Murray reported that she would be happy to cancel those meetings; however, recent information received on the Billboard project and updates to the Building Code may not allow the City Council that option.

ADJOURNMENT

Mayor Pro Tem Steggell adjourned the Regular Meeting of the La Palma City Council at 7:49 p.m.

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Gerard Goedhart  
Mayor

Attest:

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Kimberly Kenney  
Deputy City Clerk